

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE SPECIFICATION

The specification has been amended to make the summary of the invention accord with the amended claims, and to avoid text between and together with parentheses with reference to numerals A1-C3. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered and that the objection to the specification be withdrawn.

THE DRAWINGS

Figs. 7A, 7B and 7C have been amended to avoid the empty boxes, and to include the step designations within each box. Submitted herewith are a corrected sheet of formal drawings that incorporate the amendments and an annotated sheet showing the changes made thereto.

In addition, it is respectfully pointed out that the feature the top sheet having an overlapping portion at a center of the front surface side of the absorbent body as recited in claim 4 are shown in Fig. 2, and that the feature of three-dimensional gathers arranged on the liquid-permeable upper sheet at side edge

portions of the absorbent body as recited in claim 13 are shown in Fig. 1.

No new matter has been added, and it is respectfully requested that the Examiner's objections to the drawings be withdrawn.

THE CLAIMS

Claim 1 has been amended to recite that the absorbent body has a front surface side and comprises a first layer of only pulp fibers and a third layer of only pulp fibers and that the first, second and third layers are laminated in order from the front surface side such that a rear face of the first layer contacts a front face of the second layer and a rear face of the second layer contacts a front face of the third layer. In addition, claim 1 has been amended to recite that the top sheet contacts a front face of the first layer and a rear face of the third layer. Claim 1 has also been amended to remove the recitation of the total thickness of the absorbent article being 5 mm or less.

Claim 4 has been amended to recite that upper and lower surfaces of the non-woven fabric in the top sheet are subjected to a hydrophilic treatment.

And claim 13 has been amended to positively recite three-dimensional gathers arranged on the liquid-permeable upper sheet at side edge portions of the absorbent body.

Claims 15 and 16, moreover, have been added to recite additional features disclosed in the specification and shown in the drawings.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered, and that the rejections of claims 1, 4, 5 and 8-14 under 35 USC 112 be withdrawn.

THE PRIOR ART REJECTION

Claims 1, 5, 8, 13 and 14 were rejected under 35 USC 102 as being anticipated by WO 99/53877 ("Fuchs et al"); claims 1, 5, 7, 8, 13 and 14 were rejected under 35 USC 103 as being obvious in view of the combination of Fuchs et al and USP 5,458,592 ("Abuto et al"); and claims 9-12 were rejected under 35 USC 103 as being obvious over Fuchs et al, alone, or in combination with Abuto et al, USP 5,098,423 ("Pieniak et al") and USP H0,001,750 ("Dobrin"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

Initially, clarification as to the exact grounds for the rejections is requested. In the discussion of the rejections, the Examiner refers to references not mentioned in the rejection headings, e.g., PCT '368, '823, '592, EPO '393, '803, '278, PCT '669, and therefore it is not certain if these references have been applied.

According to the present invention recited in amended independent claim 1, an absorbent article is provided which comprises an absorbent body having a front surface side and a first layer of only pulp fibers, a second layer of pulp fibers and super absorbent polymer and a third layer of only pulp fibers such that the super absorbent polymer is only in the second layer, wherein the first, second and third layers are laminated in order from the front surface side such that the second layer is between the first and third layers, a rear face of the first layer contacts a front face of the second layer and a rear face of the second layer contacts a front face of the third layer (see, e.g., Fig. 6). As recited in amended independent claim 1, the absorbent article further comprises a liquid-permeable top sheet including a non-woven fabric which covers the absorbent body and contacts a front face of the first layer and a rear face of the third layer, a liquid-permeable upper sheet, and a liquid-impermeable lower sheet, wherein the top sheet and the absorbent body are situated between the liquid-permeable upper sheet and the liquid-impermeable lower sheet. As recited in amended independent claim 1, moreover, the absorbent body contains 55% or more of super absorbent polymer by weight, the second layer of the absorbent body is thicker than both the first layer of the absorbent body and the third layer of the absorbent body, and a

moisture absorbing blocking rate of the super absorbent polymer is 50% or less.

Thus according to the present invention as recited in amended independent claim 1, there are three distinct layers in the absorbent body 23, a first layer of only pulp fibers 27, a second layer of mixed pulp fibers 27 and super absorbent polymer 28 and a third layer of only pulp fibers 27, all of which are covered by the liquid-permeable top sheet 26, with adjacent faces of the layers being in contact with one another, see Fig. 6.

With this structure, the present invention solves particular problems of absorbent articles. Specifically, even though the absorbent body contains 55% by weight or more of super absorbent polymer, since the first, upper layer and the second, lower layer of the absorbent body are each layers of only pulp fiber and the absorbent body is covered by the liquid-permeable top sheet including non-woven fabric, the outer surfaces of the absorbent body do not have a rigid and rough feel (since the top sheet provides the outer surfaces) and tear of the top sheet may be eliminated (since it includes non-woven fabric).

It is respectfully submitted that the prior art cited by the Examiner do not disclose, teach or suggest an absorbent article having the above described combination of structural features recited in amended independent claim 1.

In particular, it is respectfully pointed out that Fuchs et al, Abuto, Pieniak et al and Dobrin do not disclose an absorbent body including a first layer of only pulp fibers, a second layer of pulp fibers and super absorbent polymer and a third layer of only pulp fibers, i.e., three distinct layers, wherein the first, second and third layers are laminated in order from a front surface side such that the second layer is between the first and third layers, a rear face of the first layer contacts a front face of the second layer and a rear face of the second layer contacts a front face of the third layer, and with these layers having the additional properties recited in amended independent claim 1. The cited prior art references, therefore, cannot achieve the above described advantageous effects achieved by the absorbent article of the present invention as recited in amended independent claim 1.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 1 and claims 4, 5 and 8-16 depending therefrom clearly patentably distinguishes over the cited references, taken singly or in any combination, under 35 USC 102 as well as under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

Application Serial No. 10/522,961
Response to Office Action

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900

DH:
encs.